

Message Text

UNCLASSIFIED

PAGE 01 LIMA 05934 151740Z

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ACTION XMB-07

INFO OCT-01 ARA-10 ADP-00 TRSE-00 COME-00 CIAE-00 INR-10

NSAE-00 RSC-01 RSR-01 /030 W

----- 094486

P 151716Z AUG 73

FM AMEMBASSY LIMA

TO SECSTATE WASHDC PRIORITY 6691

UNCLAS LIMA 5934

E.O. 11652: N/A

TAGS: EFIN, PE

SUBJ: FCIA CLAIM NO. P-202/ANTONIO CIAMARRA

REF: STATE 087638 DATED MAY 8, 1973 EIB LETTER DATED JUNE 28,
1973 TO COMMATT.

1. ACCORDING TO GOP CUSTOMS OFFICIALS THERE WAS NO INCREASE IN
DUTY ON WORKER'S HELMETS BETWEEN TIME OF ORDER (12/16/71) AND
DATE BUYER WAS NOTIFIED GOODS AVAILABLE TO HIM. WORKERS HELMETS
ARE CLASSIFIED UNDER PERUVIAN TARIFF ITEM NO. 65.06.0.04 AND PAY
A DUTY OF 10 SOLES PER GROSS KILO PLUS 50 PERCENT AD VALOREM
(C.F.I.F.) PLUS 12 PERCENT AD VALOREM (C.I.F.).

2. ACCORDING TO BUYER, SR. CIAMARRA, WHEN HIS HELMETS ARRIVED
CUSTOMS AUTHORITIES DID NOT CONSIDER THEM TO BE WORKERS HELMETS
BUT RATHER INSISTED IN CLASSIFYING THEM UNDER ANOTHER TARIFF
CLASSIFICATION NUMBER, VIZ 65.06.0.99, WHICH APPLIES TO LIGHT-
WEIGHT HARDBOARD TYPE HELMETS OF TYPE WE WOULD CALL SUN OR PITH
HELMETS AND FOR WHICH THE DUTY IS 150 SOLES PER GROSS KILO PLUS
100 PERCENT AD VALOREM (C.I.F.) PLUS 12 PERCENT AD VALOREM
(C.I.F.). DIFFERENCE IN DUTY TO BE PAID WAS CONSIDERABLE I.E.
\$4828.00 VS \$1487.00. CONSEQUENTLY, AFTER AN APPEAL FROM THIS
DECISION FAILED, BUYER REFUSED TO CLEAR SHIPMENT.

3. CIAMARRA'S CUSTOMS AGENT IN PERU SAYS THAT TARIFF CLASS-
IFICATION PROBLEM IS CIAMARRA'S FAULT IN THAT HE FILLED OUT
CONSULAR DECLARATION INCORRECTLY. EMBASSY UNABLE DETERMINE WHY
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THIS ERROR COULD NOT BE EXPLAINED TO SATISFACTION CUSTOMS BUT,

IN ANY EVENT, IT CLEAR THAT BUYER'S REFUSAL TO CLEAR GOODS WAS
NOT BASED ON SUDDEN INCREASE IN DUTY ON ITEM ORDERED BUT RATHER
IN TARIFF CLASSIFICATION ASSIGNED TO ITEM AFTER ITS ARRIVAL WHICH
RESULTED IN ASSESSMENT OF DUTY MUCH HIGHER THAN BUYER HAD EXPECTED.

BELCHER

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NNN

Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
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Draft Date: 15 AUG 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973LIMA05934
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Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
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Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730837/aaaabarn.tel
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Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Previous Classification: n/a
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US Department of State
EO Systematic Review
30 JUN 2005

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Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
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